

PATENT
Docket No.: 57953/1180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Benfey et al.

Serial No. : 09/578,827

Cnfrm. No. : 5552

Filed : May 24, 2000

For : SHORT-ROOT GENE, PROMOTER, AND
USES THEREOF

Examiner:
C. Collins

Art Unit:
1638

AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the September 27, 2002, office action, please amend the above-identified patent application as follows:

In the Claims:

Please cancel claims 32 and 33.

Please amend claims 22, 24, 27, and 31 as follows:

22. (Twice Amended) A transgenic plant comprising a transgene encoding a heterologous gene of interest operatively associated with a *SHORT-ROOT* promoter, said promoter consisting essentially of a nucleic acid sequence of SEQ ID NO:4 and functioning to promote stele-specific expression in roots and embryos of a plant, so that the gene of interest is expressed in a tissue-specific manner in roots or embryos.